



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Name: **Guenter W. Brune et al.**

Serial No. **10/828,391**

Filed: **April 19, 2004**

For: **FLUX PLANE LOCATING IN AN
UNDERGROUND DRILLING SYSTEM**

Examiner: **Reena Aurora**

Art Group: **2862**

Att. Docket No.: **DCI-20C3**

Date: **November 22, 2004**

CERTIFICATE OF MAILING I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on November 22, 2004.

Signed:


Jay R Beyer

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

Enclosed is a copy of Information Disclosure Citation Form PTO-1449 together with copies of the non US patent documents cited on that form. It is respectfully requested that the cited documents be considered and that the enclosed copy of Information Disclosure Citation Form PTO-1449 be initialed by the Examiner to indicate such consideration and a copy thereof returned to applicant(s).

Pursuant to 37 C.F.R. § 1.97, the submission of this Information Disclosure Statement is not to be construed as a representation that a search has been made and is not to be construed as an admission that the information cited in this statement is material to patentability.

Reference **F** is related to litigation in **Case No. CV3-2297Z in Digital Control, Incorporated and Merlin Technology, Incorporated vs. Ridge Tool Company and Emerson Electric Company** in the United States District Court for the Western District of Washington. It is noted that all claims by Digital Control, Incorporated in this case have presently been dismissed on Digital Control's own motion. The subject information is being provided in order to satisfy requirements under MPEP 2001.06(c). Should the Examiner have any further questions or wish to request any additional documents, the Examiner is requested to contact the undersigned. If the Examiner considers any of Reference **F** to be relevant, the Examiner is respectfully requested to indicate so. Applicant will otherwise assume that the information is not relevant.

Pursuant to 37 C.F.R. § 1.97, this Information Disclosure Statement is being submitted under one of the following (as indicated by an "X" to the left of the appropriate paragraph):

 37 C.F.R. § 1.97(b).

 X 37 C.F.R. § 1.97(c). If so, then enclosed with this Information Disclosure Statement is one of the following:

 A certification pursuant to 37 C.F.R. § 1.97(e) or

 X Credit Card Payment authorization for **\$180.00** for the fee under 37 C.F.R. § 1.17(p).

 37 C.F.R. § 1.97(d). If so, then enclosed with this Information Disclosure Statement are the following:

(1) A certification pursuant to 37 C.F.R. § 1.97(e);

(2) A petition requesting consideration of the Information Disclosure Statement; and

(3) Please charge Deposit Account No. **19-1685** (Order No. **DCI-20C3**) \$ for the fee under 37

C.F.R. § 1.17(i) for submission of the Information Disclosure Statement. (**a duplicate copy of this sheet is enclosed**)


If there are any additional charges, please charge Deposit Account No. **19-1685** (Order No. **DCI-20C3**).

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Respectfully submitted,



Jay R Beyer

Registration No. 39,907

Form 1/49 (Modified) Information Disclosure Statement By Applicant (Use Several Sheets if Necessary)	Atty Docket No. DCI-20C3 Applicants: Guenter Brune, et al Filing Date April 19, 2004	Serial No.: 10/828,391 Group 2862
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U.S. Patent Documents

Examiner Initial	No.	Patent No.	Date	Patentee	Class	Sub-class	Filing Date
	A						

Foreign Patent or Published Foreign Patent Application

Examiner Initial	No.	Document No.	Publication Date	Country or Patent Office	Class	Sub-class	Translation	
							Yes	No
	B							

Other Documents

Examiner Initial	No.	Author, Title, Date, Place (e.g. Journal) of Publication
	C	Radiodetection Corp., Drill Track System 1 User Guide, Rev 1, August 1997, Radiodetection Corp. Product User Guide
	D	John E. Mercer, History of Walkover Locating Technology, September 23, 1997, International Construction & Utility Equipment Expo, Louisville, Kentucky
	E	McLaughlin, Preliminary Manual Spot D Tek & Mole Map IV, February 7, 2000, McLaughlin Product Manual
	F	Ridge Tool Company's Answer, Affirmative Defenses and Counterclaims to Plaintiffs' First Amended Complaint for Patent Infringement, Case No CV 03-2297 Z, Digital Control Incorporated vs. Ridge Tool Company
Examiner		Date Considered

Examiner: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.